IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

RP.No. 1211 of 2007(M)

AGAINST THE JUDGEMENT/ORDER IN WPC.25958/2007
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REVIEW PETITIONERS/RESPONDENTS IN WP:
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1. STATE OF KERALA,
   REPRESENTED BY THE PRINCIPAL SECRETARY,
   FOREST DEPARTMENT, THIRUVANANTHAPURAM.

2. THE CHIEF CONSERVATOR OF FORESTS
   (ADMINISTRATION), FOREST HEAD QUARTERS,
   THIRUVANANTHAPURAM.

3. THE DIVISIONAL FOREST OFFICER,
   KOTHAMANGALAM.

BY GOVERNMENT PLEADER SRI.NANDAKUMAR

RESPONDENTS: PETITIONER IN WP:

K.A. KRISHNA PILLAI,
MADATHIL HOUSE, OLAMATTOM, THODUPUZHA,
IDUKKI DISTRICT, PIN-685 584.

BY ADV.SRI.C.A.MAJEED

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.GIRI, J.

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RP No.1211 of 2007 in W.P.(C)25958/2007

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Dated this the 12th day of December 2007

ORDER

The following directions were issued in the judgment dated 10.9.2007.

> *i) The third respondent shall take appropriate steps to disburse to the petitioner the DCRG admissible to him less the amount mentioned in Exts.P4 and P7 within a period of two months from the date of receipt of a copy of this judgment.*
>
> *ii) finalization of the liability sought to be made in Exts.P4 and P7 shall be completed within a period of four months from the date of receipt of a copy of this judgment, after hearing the petitioner.*
>
> *iii) Subject to the finalization of the proceedings contemplated under Exts.P4 and P7 (if it has not been done so far) the balance amount shall also be disbursed to the petitioner within one month thereafter."*

2. The review petition has been filed by the State alleging that the proceedings pursuant to Ext.P4 had already been finalized as per Annexure-A1 order dated 6.3.2007. It is also contended that apart from Annexure A3, there are other proceedings proposing

imposition of liability on the petitioner. According to the counsel for the writ petitioner, Annexure-A1 was served only after the writ petition was disposed of. Be that as it may, the liability pursuant to Ext.P4 has been finalized under Annexure-A1 order. Then, obviously the petitioner would be entitled to the amounts by way of DCRG less the amount which has been fixed as liability under Annexure A1. Of course, if the petitioner is aggrieved by Annexure A1, he is at liberty to take appropriate proceedings in relation to the same. I also make it clear that the direction issued in the judgment which is now sought to be reviewed is only to finalise the liability and if there is a proposal to fix any amount as liability independent of Exts.P4 and P7, then the judgment need not be understood as standing in the way of any such proceedings being taken in accordance with law.

With this clarification, the review petition is disposed of.

V.GIRI, JUDGE

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